

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*)
State Engineer,)
)
Plaintiff,)
)
v.)
)
ROMAN ARAGON, *et al.*,)
)
Defendants.)
_____)

No. CV 7941 JC

RIO CHAMA Stream System

Section 3

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**THE UNITED STATES' MOTION
FOR A THIRTY DAY EXTENSION OF TIME**

COMES NOW Defendant the United States and requests thirty (30) day extension of time in which to file its water rights claims on behalf of the Forest Service and the Bureau of Land Management in Section 3 of this adjudication. The Special Master's Procedural Order of March 15, 2000 calls for the federal non-Indian water rights to be filed with the Court on October 30, 2001. An extension of time until November 29, 2001 is warranted for the following reasons:

- (1) The United States has assembled all relevant claims; however the claims cannot be filed until formal approval is received from Department of Justice management. A request for approval has been submitted and should be acted on within the next couple of weeks.
- (2) A delay of thirty days in filing the United States' claims will not materially affect nor delay the adjudication.
- (3) Due to the large number of parties to this case, the United States has not attempted to reach each name on the Service List. However, the United States has contacted Ed Newville, counsel for the State of New Mexico; Mary Humphrey, counsel for the 37 community acequias of La Asociacion de Las Acequias del Rio Vallecitos, Tusas y Ojo Caliente and the El Rito Ditch Association; and John Utton, counsel for the Asociacion de Acequias Nortenas. No objection has been raised.

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WHEREFORE, the United States respectfully requests that it be granted an extension of time up and including November 29, 2001 to file its claims on behalf of the non-Indian federal agencies in Section 3 of this adjudication. A proposed order granting this motion is enclosed.

Dated this 30th day of October, 2001

Respectfully submitted,

JOHN C. CRUDEN
Acting Assistant Attorney General

A handwritten signature in black ink, appearing to read "David Gehlert", is written over a horizontal line.

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